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10/678,400	10/03/2003	Robert M. Congdon	LOT920030027US1 (012)	3520
46321 7590 07/22/2008 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487				
EXAMINER				
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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/678,400  
Filing Date: October 03, 2003  
Appellant(s): CONGDON ET AL.

\_\_\_\_\_  
Steven Greenberg (Reg. No. 44,725)  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed June 2, 2008 appealing from the Office  
action mailed Nov. 27, 2008.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

DeAnna et al., U.S. Patent No. 6,947,943 (Sep. 20, 2005)

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by DeAnna et al., U.S. Patent No. 6,947,943 (referred to hereafter as Anna).

As to claim 1, Anna teaches a collaborative messaging system, a mail server cell comprising:

a logical grouping of application server nodes disposed within an application server (see col. 5 lines 46-60, col. 7 lines 7-35 and col. 3 lines 64-col. 4 lines 7, the Zeosphere server has a plurality of applications for communicating with a plurality of servers and devices);

an Internet Message Access Protocol (IMAP) compliant mail server executing in a computer coupled to said logical grouping of application server nodes (see col. 15 lines 5-15 and col. 16 lines 28-47, the Zeosphere server has an IMAP compliant application coupled to the plurality of other applications); and,

at least one data store configured for storing electronic mail messages processed in said IMAP compliant mail server (see col. 15 lines 43-54, the Zeosphere has a Mail receiver i.e. "data store" that stores messages).

As to claim 2, Anna teaches the mail server cell of claim 1, wherein said IMAP compliant mail server comprises a simple mail transfer protocol (SMTP) inbound request handler (mail receiver 173, fig. 4), an SMTP outbound request handler (mail sender 175, fig. 4), and a set of IMAP services (applications 171, 172 and mail processor, fig. 4) coupled to said SMTP inbound and outbound request handlers (see fig. 4 and col. 16 lines 28-54).

As to claim 3, Anna teaches the mail server cell of claim 1, wherein said IMAP compliant mail server comprises a set of platform independent classes operable in a virtual machine environment (see col. 3 lines 50-60, Zeosphere server is implemented in a virtual machine environment).

As to claim 4, Anna teaches the mail server cell of claim 1, wherein said virtual machine environment is the Java virtual machine environment (see col. 4 lines 9-20 and col. 3 lines 50-60, the Zeosphere server is implemented in a JVM environment).

As to claim 5, Anna teaches the mail server cell of claim 4, wherein said IMAP compliant mail server comports with the J2EE specification (see col. 4 lines 9-20, J2EE implementation).

As to claim 6, Anna teaches the mail server cell of claim 1, further comprising a communicative coupling to authentication services provided through said application server (see col. 8 lines 4-9 and col. 5 lines 46-55).

As to claim 7, Anna teaches the mail server cell of claim 1, further comprising a communicative coupling to auto-provisioning services provided through the collaborative messaging system (see col. 7 lines 55-60, the Zeosphere is uses iMessenger to send and receive messages).

As to claim 8, Anna teaches the mail server cell of claim 1, further comprising a communicative coupling to a portal/portlet interface to said IMAP compliant mail server (see col. 16 lines 28-40).

As to claim 9, Anna teaches a collaborative messaging application comprising:

an Internet Message Access Protocol (IMAP) compliant mail server executing in a computer configured for operation within an n-tier enterprise environment provided by an application server (see col. 14 lines 31-45, col. 15 lines 5-15 and col. 16 lines 28-47, Zeosphere server is an IMAP compliant server that is based on a three-tier application);

a markup language driven interface to said IMAP compliant mail server disposed within a Web container in said application server (see col. 14 lines 5-65, the Zeosphere uses a GUI that is programmed using XML i.e. "markup language");

a data store configured to store messages process by said IMAP compliant mail server (see col. 15 lines 43-54, the Zeosphere has a Mail receiver i.e. "data store" that stores messages); and,

a directory configured to provide configuration and addressing data to said IMAP compliant mail server (see col. 15 lines 43-54 and col. 13 lines 50-col. 14 lines 30).

As to claim 10, Anna teaches the collaborative messaging application of claim 9, wherein said IMAP compliant mail server comprises a set of platform independent classes programmed for execution in a virtual machine and specifically operable in said n-tier enterprise environment (see col. 4 lines 9-20 and col. 3 lines 50-60, the Zeosphere server is implemented in a JVM environment).

As to claim 11, Anna teaches the collaborative messaging application of claim 10, wherein said virtual machine is a Java virtual machine and wherein said n-tier

enterprise environment is J2EE (see col. 4 lines 9-20 and col. 3 lines 50-60, the Zeosphere server is implemented in a JVM environment using J2EE).

As to claim 12, Anna teaches the collaborative messaging application of claim 9, further comprising an administrative console coupled to a messaging administrative plug-in to said console facilitate management of said IMAP compliant mail server, said markup language driven interface, said data store and said directory (see col. 4 lines 59-col. 5 lines 25 and col. 5 lines 61-col. 6 lines 24).

As to claim 13, Anna teaches the collaborative messaging application of claim 9, further comprising authentication logic disposed within said application server and communicatively linked to said IMAP compliant mail server for use by said IMAP compliant mail server (see col. 8 lines 4-9 and col. 5 lines 46-55).

As to claim 14, Anna teaches the collaborative messaging application of claim 9, further comprising auto-provisioning logic disposed within the collaborative messaging application and communicatively linked to said IMAP compliant mail server for use by said IMAP compliant mail server (see col. 16 lines 25-55).

#### **(10) Response to Argument**

As per appellants arguments filed on June 2, 2008, the appellant argues that DeAnna does not disclose a logical grouping of application server nodes disposed within an application server (see Brief page 4 lines 5-pge 5, argument A)

In reply to A, applicant's disclosure, specifically fig. 1, 2 and page 11 3<sup>rd</sup> paragraph, describes a single server "cell 200" that has a plurality of applications

wherein each application is an "application server". The IMAP compliant server is described to be an application that has two portions, SMTP or POP3 inbound message handler and SMTP or POP3 outbound message handler.

DeAnna teaches a system and method including a ZDF server 50 that includes a plurality of applications 171-184 operating on the server 50 (see fig. 4 and col. 15-18). Each of the applications that are operating on the same server is interpreted to be "application server nodes".

In addition, the server 50 has two applications, mail receiver 173 and mail sender 175, that process incoming and outgoing messages to and from the server 50 (see fig. 4 and col. 15 lines 43-54, col. 16 lines 28-54) wherein the messages are SMTP, IMAP or POP3 messages. Therefore, examiner interprets the Mailreceiver 173 and Mailsender 175 are interpreted to be "IMAP compliant mail server".

Appellant argues that DeAnna does not disclose an IMAP server coupled to the logical grouping of applications (see Brief page 5-6, argument B).

In reply to B, applications 173 and 175 are also logically connected to other applications "application server nodes" such as application Mailprocessor 174, Timer 171, and ReceiverMDB 172. ReceiverMDB 172 stores that received messages. Therefore application 172 is interpreted to be "data store for storing electronic messages". Also MailprocessorMDB 174 is logically connected to mailreceiver 172 to receive and process the received messages (see col. 15 lines 55-67). Therefore applications 171, 174, and 172 are interpreted to be a portion of "logical grouping of



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application server nodes" that are logically connected to the Mailsender 175 and Mailreceiver 173 "IMAP compliant mail server".

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Hussein Elchanti/

July 17, 2008

Conferees:

/Ario Etienne/

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/Salad Abdullahi/

Primary Examiner, Art Unit 2157